

REMARKS/ARGUMENTS

Reconsideration of this patent application is respectfully requested in view of the foregoing amendments and the following remarks.

The Examiner has objected to the drawings. Enclosed is a replacement sheet of drawings. No new matter has been added.

The Examiner has rejected claims 13-18 as being anticipated by U.S. Patent no. 6,031,928 to Scott.

Claims 13-24 have been canceled without prejudice. New claims 25-37 have been added.

The applicant respectfully traverses this rejection.

In particular, the applicant believes that the following step is not shown in the above reference:

tapping position transmitting trigger pulses in discrete and constant local intervals from the displacing element for position-related readout of the sensor

Instead, in Scott, the workpiece is moved across "at a constant y co-ordinate" as stated in column 2 line 41. This process does not describe or define location sensitive measurements and would thus lead one to a time sensitive or a time based read-in of a position of an object or specimen which is a process already known in the art.

In addition, there is no indication in the above cited reference that these location related signals which are derived by data processing, are generated, wherein these signals are used to trigger the measurement value recording of the sensor.

Therefore, the applicant believes that claim 25 as written is patentable over the above cited reference.

With regard to claims 26-37, the applicant believes that this device is patentable over the above cited references as

well. In particular, the applicant believes that the above cited reference to Scott does not disclose a position transmitter which is coupled to the displacement element as described above in claim 26 and also in claim 37.

Therefore, the applicant believes the claim 26 and dependent claims 27-36 and independent claim 37 are patentable over the above cited reference.

In addition, the Examiner has rejected claim 19 under 35 U.S.C. 103(a) as being unpatentable over Scott in view of *Hageniers*.

Furthermore, the Examiner has also rejected claim 24 as being unpatentable over Scott in view of *Hoffman*.

Since the Applicant believes that claim 26 is patentable over the above cited reference to Scott as described above, the applicant believes that the new claims are also patentable over the above cited references in combination with each other.

For Example, the *Haganiers* document may disclose a glass scale, however, this glass scale is used to determine the non-linearity of the sensor and to correct this feature by way of a look up table as shown in FIG. 6. Thus, in this case, the scale is a necessary element of this feature.

In contrast, the glass scale described in the present invention is only used to balance out positioning inaccuracies. Therefore, the applicant believes that the claims as written above are written to overcome the above cited reference.

With regard to new claim 36, the applicant believes that the combination of *Scott* and *Hoffman* was not obvious. This is because *Scott* relates to an altitude sensor that has a linear variable diff. transducer but not any type of laser spot sensor.

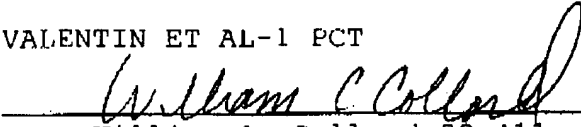
In addition, since there is no suggestion for the combination of the references between either *Scott* and *Haganiers* or *Scott* and *Hoffman*, the applicant believes that the claims as written above are patentable over the above cited references taken either singly or in combination.

In summary, claims 13-24 have been canceled and new claims 25-36 have been added. In view of the foregoing, it is respectfully requested that the claims be allowed and that this case be passed to issue.

Applicant respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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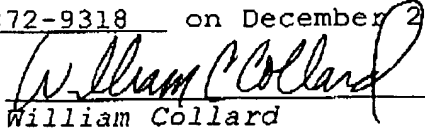
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I hereby certify that this correspondence is being sent by facsimile transmission to the U.S.P.T.O. to Patent Examiner MAGDA CRUZ at Group No.2851, to 1-703-872-9318 on December 26, 2003.


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